

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CRATON LIDDELL, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:72-CV-100
)	
BOARD OF EDUCATION OF THE)	
CITY OF ST. LOUIS, MISSOURI,)	
<i>et al.</i> ,)	
)	
Defendants.)	

THE STATE OF MISSOURI'S REPLY
TO THE COURT'S ORDER OF JUNE 3, 2016

This case is closed. The federal claims previously alleged against Defendants no longer exist, and, as provided in the parties' settlement agreement, this Court lacks jurisdiction to adjudicate any of the claims now sought to be filed herein against the State of Missouri.

The federal claims in this matter were settled and closed back on March 12, 1999. At that time, the parties agreed that any future claims such as those now being alleged "shall be adjudicated only in State Court". Although the parties have on occasion obtained this Court's leave to amend or correct their settlement, they have never agreed to litigate in this Court the claims that are now being alleged against the State. To the contrary, for the past seventeen (17) years, all such claims have been litigated in State

court (*see e.g. Bd. Of Educ. City of St. Louis v. State*, 229 S.W.3d 157 (Mo. App. E.D. 2007), and no valid reason or basis exists for the Court at this point to change course and exercise federal jurisdiction over the newly filed state-law claims. *See* Motion to Strike (Doc # 389) *and* Reply (Doc # 393).

Because the Court lacks jurisdiction, the State intentionally has not addressed to this Court the merits of the claims raised by way of the recently filed Motion to Enforce Settlement. The State will do so after such claims are filed – as agreed – in State Court.

Respectfully submitted,

CHRIS KOSTER

Attorney General

/s/Henry F. Luepke

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CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of June 2016, this Reply was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system on counsel of record.

/s/Henry F. Luepke